



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
Ph.- 2210707 & 2328283 Ext: - 122

IN THE MATTER OF GRIEVANCE NO.K/E/066/0076 OF 06-07 OF
SHRI KRISHNA P. ZOPE REGISTERED WITH CONSUMER
GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN
ABOUT THE REFUND OF EXCESS AMOUNT PAID DUE TO
ERRONIOUS BILLING.

Shri Krishna. P. Zope

(Here in after

Bhamberdekar Sadan, Rajajipath Road

referred to

Ramnagar, Dombivli (E)

as consumer)

Versus

Maharashtra State Electricity Distribution
Company Limited through its Deputy
Executive Engineer Dombivli Sub-Dn. I

(Here in after
referred to
as licensee)

1) Consumer Grievance Redressal Forum has been established under regulation of "Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2006" to redress the grievances of consumers. This regulation has been made by the Maharashtra Electricity Regulatory Commission vide powers conformed on it by section 181 read with sub-section 5 to 7 of section 42 of the Electricity Act, 2003. (36 of 2003).

2) The consumer is a L.T. consumer of the licensee connected to their 415-volt network. Consumer is billed as per residential tariff. The consumer's son Shri Anant Krishna Zope (since the consumer is deceased) registered grievance with the forum on dated 18/09/2006.

The details are as follows: -

Name of the consumer: Krishna. P. Zope.

Address: - As above

Consumer No: - 020010119651

Reason of dispute: - Incorrect bill for the period from 13/01/2005 to 14/03/2005 amounting to Rs 9660/- of 2253 units and disconnecting the electric supply on 31/08/2006 without giving any notice of disconnection.

3) The batch of papers containing above grievance was sent by forum vide letter No.0686 dated 18/09/2006 to Nodal Officer of licensee. The letter, however, remained unreplied.

4) All three members of the forum heard both the parties on 12/10/2006 & 16/11/06. Shri Anant Krishna Zope representative of consumer and Shri P.K.Taiwade, Assistant Engineer, Shri Apparao Dhawle Deputy

Executive Engineer, Shri M.A. Atre Assistant Engineer representatives of the licensee attended hearing on 12/10/06. Shri Anant Krishna Zope representative of consumer and Shri N.L.H. Rao Nodal Officer, Shri Apparao Dhawle Deputy Executive Engineer, Shri Kishore N. Jaikar LDC, and Shri S.K. Ambre Assistant Accountant of the licensee attended hearing on 16/11/06.

- 5) Shri Zope said that electricity bill stands in the name of his father. He said that he received wrong bill for the period of 13/01/2005 to 14/03/2005 showing consumption of 2253 units. The bill amount was Rs. 9660/-. He further said that his electricity supply was disconnected on 31/08/2006 without giving notice of disconnection to him. Shri Zope requested forum to look into the matter & grant justice.
- 6) Shri Dhawle Deputy Executive Engineer said that meter No. 631486 was in service prior to September 1999 at consumer's premises. This meter was faulty and was replaced in September 1999 by meter No. 264606. The data of meter No. 631486 was not fed to the computer till January 2006. The meter No. 264606 was also faulty & was replaced in February 2006 by meter No. 140493. He further said that bills to the consumer were being sent showing from May 2001 to January 2005 showing faulty status of meter No. 631486. The progressive reading of meter was taken in March 2005 and bill of March was 2005 was sent to consumer for 2253 units amounting to Rs 9660/- (Difference of reading of March 2005 & May 2001(7048-4795)) claiming arrears from May 2001 to March 2005.
- 7) Shri Dhawle agreed that the supply of the consumer was disconnected without serving notice of disconnection to him. Shri Dhawle also agreed to reconnect the supply of the consumer on 13/10/2006.

- 8) On pointing out provision of section 56 of Electricity Act, 2003 about claiming arrears, Shri Dhawle agreed to further revise bill of consumer before next hearing.
- 9) Shri Dhawle on 6/11/06 submitted copy of B-80 & revised bill of September 06 sent to consumer on 31/10/06. It is seen from B-80 that 2253 units charged in the bill of March 2005 was changed to 114 units & further bills sent to consumer from May 2005 to December 2005 were also revised. The table below shows details.

Month	Units charged	Units to be charged
March 05	2253	114
May 05	814	114
July 05	814	114
Sept 05	214	114
Oct 05	107	57
Nov 05	107	57
Dec 05	107	57
Total	4416	627

- 10) Further bills from February 06 onwards were sent to consumer as per meter reading recorded on meter No. 140493. The bill of September 06, taking into consideration amount paid till September 06 & debiting only 627 units as shown above, works out to Rs 2690/-.
- 11) National Consumer Dispute Redressal Commission New Delhi in Revision Petition No 604 of 2003 dated 29/09/03 in a petition of Chandrakant Mahadeo Kadam against Assistant Engineer MSEB Atpadi & others has held that compensation need to be given to consumer for

disconnecting electric supply for no reason. In the present case consumer of licensee was paying his bills regularly. For no reason higher amount of bill was presented to him when such higher amount was not due from him and his electric connection was disconnected. Consumer approached licensee but with no result. Licensee accepted the mistake of disconnecting supply of consumer on 31/8/06 without serving notice of disconnection to him. The consumer's supply was reconnected on 13/10/06. Thus consumer remained disconnected for 43 days. No doubt there was gross deficiency in service & the negligent staff is accountable for the harassment done to a poor consumer. We take serious view of the default committed by the officers of licensee. It is certainly not a good situation if electric supply remains disconnected for 43 days without any primary reason. We can put ourselves in the position of a consumer & realise as to how he might have suffered. In our view there is clear mis-carriage of justice and we would grant the compensation of Rs 2500/- to consumer.

O-R-D-E-R

1. The action of licensee in preparing bill of 2690/- as mentioned in Para 10 above is upheld.
2. A credit of interest & delayed payment charges, if charged any for non payment of above said arrears of 2253 units, should be given to consumer in his bill on or before billing month of October 06.
3. Action taken against concerned person for disconnecting supply of consumer without serving disconnection notice should be intimated to the forum within 60 days.

4. Action taken against concerned person for lapse of duties for not feeding data in computer of meters replaced in September 05 till January 06, which resulted in arrears & hardship to consumer, should be intimated to the forum within 60 days.
5. We grant the compensation of Rs 2500/- to consumer. Licensee to pay this compensation to consumer within 90 days.
6. Consumer can file appeal against this decision with the Ombudsman at the following address.

Maharashtra Electricity Regulatory Commission, 606/608,
Keshav Building, Bandra Kurla Complex, Mumbai 51

Appeal can be filed within 60 days from the date of order.

7. Consumer, as per section 142 of Indian Electricity Act 2003, can approach Maharashtra Electricity Regulatory Commission at the address

Maharashtra Electricity Regulatory Commission,

13th floor, World Trade Centre, Cuffe Parade, Colaba, 400005.

for non-compliance, part compliance or delay in compliance of this decision issued under "Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressed Forum & Ombudsman) Regulation 2006".

Date: - 16/11/06

(Sau V.V.Kelkar)

Member

CGRF Kalyan

(I.Q.Najam)

Chair person

CGRF Kalyan

Grievance No.K/E/066/0076 of 06-07

(D B Nitnawre)
Member Secretary
CGRF Kalyan